

ULL #  
 0692/1

File 1. 12/9

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Proposed Testimony of Richard K. Willard

FROM:

Director of Security

EXTENSION

NO.

STAT

DATE

24 February 1984

STAT

TO: (Officer designation, room number, and building)

DATE

RECEIVED

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

 1. C/LD/OLL  
 7B-24, Hqs.

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24 FEB 1984

MEMORANDUM FOR: Chief, Legislative Division  
Office of Legislative Liaison

FROM:

Director of Security

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SUBJECT: Proposed Testimony of Richard K. Willard

REFERENCE: Memorandum from OLL, dated 23 February 1984,  
OLL 84-0692, subject as above

1. In response to your request for comments regarding Richard K. Willard's proposed testimony regarding H.R. 4681 (Federal Polygraph Limitation and Anti-Censorship Act of 1984), the Office of Security offers the following observations and comments.

2. The Office of Security agrees with the proposed testimony in general. Specifically, we agree that H.R. 4681 should be rejected in its entirety since the President's National Security Decision Directive (NSDD) 84 has been recently rescinded; thus the bill would not appear to serve any useful purpose. However, if attempts to "kill" the bill are unsuccessful, the Office of Security proposes additional testimony to request modification to the language of certain portions of H.R. 4681 in an attempt to keep the CIA Polygraph Program intact in its present form. It should be noted that Section 6 of H.R. 4681 excludes CIA and NSA "employees" from the provisions of the bill. A strict, literal interpretation of Section 6 might conceivably exclude all but staff employees from the CIA Polygraph Program. Thus, we believe that the proposed testimony should include a request for revision of Section 6 of the bill to include "CIA staff employees, all non-staff employees who require staff-like access to CIA facilities and classified information, and contractor's employees who require either access to SCI materials and/or staff-like access to CIA facilities and information.

3. The Office of Security also takes exception to the language in section 2.(a), subparagraphs (1) through (4) which essentially states that:

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- o There is no scientific evidence to demonstrate the validity of the polygraph.
- o The use of the polygraph for screening purposes will result in a great number of "false positives."
- o The threat of sanctions for those who refuse to undergo polygraph examination will result in a greater risk of "misidentification."
- o Polygraph testing for screening purposes is an unsound policy.

These assertions found at the beginning of H.R. 4681 are refuted by Office of Security studies and statistics and are not supported by the Congressional Office of Technology Assessment report regarding the polygraph. This Office would suggest that proposed testimony by Mr. Willard request that the above subparagraphs of section 2.(a) be deleted from H.R. 4681 if the bill is brought forward for House action.

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cc: DDA

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